

Common carriers are prohibited from using unreasonable discrimination or unjust practices to give undue preferences, as per Title II of the Communications Act. "The lifting of title II constraints on unreasonable discrimination, together with the development of QoS, triggered the push for net neutrality." (Jordan Scott,2011) The motion to repeal net neutrality clearly facilitates Internet Service Providers (ISPs) to carry out online discrimination. While proponents to repeal net neutrality may argue, online discrimination has its advantages in terms of customized allocation of bandwidth to users, I personally believe that it leads to more harm than good in the digital ecosystem. The pressing question which comes to light is, who takes the onus that online discrimination is carried out in the interest of end users? And most importantly how do we make sure that it is done efficiently? "The ISPs do not explain how they define capacity issues or interference, what constitutes fair allocation of capacity, or how they determine which applications are permitted or prohibited." (Jordan Scott,2011)

By repealing net neutrality, revenue will shift from content creators to ISPs. While it may be true that ISPs will use part of the revenue to improve physical infrastructure, the implication will be decline in revenue stream for content providers. Content providers are major technology companies like Google, Facebook, LinkedIn to name a few. And most importantly, how do we ensure that ISPs use the surplus revenue generated towards physical infrastructure? Towards end users? There is a high probability that the surplus revenue will be transferred to company stakeholders invested in ISPs. Large organizations may use price disparity to their advantage by colluding with ISPs to slow down internet speeds of company websites which compete with them. Moreover, the basic concept of internet which is a free medium for people to enjoy services will come under the monopoly of a select few. "Profit is maximized through perfect price discrimination, i.e., where each user is charged precisely what that user is willing to pay. Users here include consumers, businesses, and content and service providers. This implies that the benefit of the Internet to each user is zero." (Peha, J.M., 2007).

We must not choose to overlook the impact net neutrality has on upload speeds. Governments can suppress voice of end users by colluding with ISPs to not allow free speech which does not align with their objectives. In this case, we must not neglect that upload speeds can be drastically reduced during surge periods in the pretense of customized bandwidth availability and this is evidently not in the interest of free speech. The idea of segmentation of users as a basis for customization of bandwidth speeds has two major difficulties. First, how will ISPs segregate end users effectively? Secondly, the most fundamental question, how do we make sure that ISPs segregate end users based on internet consumption and this does not hamper free speech? "The search engine giant Google, which has also been a supporter of the net neutrality movement in the United States, has explicitly raised this connection, framing censorship as a trade issue." (Mueller, M., 2007)

I believe that customized "fast lanes" to select organizations based on no clear metric is open to misuse and major players who will be adversely affected are start-ups and small companies which pose as potential threats to companies who have large monopoly. "The language used by

wireless ISPs in their terms and conditions does not provide much clarity. No definitions are given of what constitutes excessive amounts of net traffic or extreme network capacity issues.” (Jordan Scott,2011). The underlying ecosystem in which internet operates is equitable access to end users. This is what makes the medium powerful and eventually leads to empowerment of end users. In conclusion, the medium should be left open with minimal interference and focus should shift on providing greater usability, accessibility, and transparency to end users. “The right overriding fact is that the Internet is globalization incarnate, and as such it forces us to adopt some global rules. Precisely because they are global in scope, those rules had better be as minimal, neutral and enabling as possible.” (Mueller, M., 2007).

### **References:**

Institute for Policy Integrity: New York University School of Law [http://policyintegrity.org/documents/Free to Invest.pdf](http://policyintegrity.org/documents/Free%20to%20Invest.pdf)

Jordan, Scott, 12-01-2011. Traffic Management and Net Neutrality in Wireless Networks, IEEE Transactions on Network and Service Management, 8(4), <http://escholarship.org/uc/item/06k6864t#page-1>

Mueller, M. 2007. Net Neutrality as Global Principle for Internet Governance. Retrieved from Internet Governance Project [www.internetgovernance.org](http://www.internetgovernance.org)

Peha, J.M. 2007 The Benefits and Risks of Mandating Network Neutrality, and the Quest for a Balanced Policy. International Journal of Communications 1. 644-668